IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Crl.Rev.Pet.No. 923 of 2007(A)

CRA.479/2001 of SESSIONS COURT, TRIVANDRUM
CC.415/2000 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, ATTINGAL

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REVN. PETITIONER: APPELLANT/ACCUSED

J.J.LATHIKA, D/O.JAGADAMMA
KARTHIKA, NEAR MARKET ROAD
THAZHAMANKONAM, ATTINGAL VILLAGE.

BY ADV. SRI.VINOD J.DEV
SRI.PRAMOD J.DEV

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. SUDHAKARAN
KIZHKEKOLLASSERY VEEDU
CHIRAYINKEEZHU VILLAGE
(DIED ON 9-06-2004)

2. STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR
BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.923 of 2007

Dated this the 2nd day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for three months and to pay a compensation of Rs.5,00,000/- to the complainant and in default, to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is affirmed. It is submitted that the revision petitioner is too poor to raise the amount right now. In the circumstances, revision petitioner is directed to pay a sum of Rs.2,50,000/- on or before 3.10.2007 and the balance amount within three months thereafter. Revision petitioner shall appear before the Judicial First Class

Magistrate Court-I, Attingal on 2.1.2008 to receive the sentence.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl